

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF CUSTER TELEPHONE) CASE NO. CTB-T-21-01
BROADBAND SERVICES LLC’S)
APPLICATION FOR EXPANSION OF ITS) NOTICE OF APPLICATION
ELIGIBLE TELECOMMUNICATIONS)
CARRIER DESIGNATED SERVICE AREA) NOTICE OF
) MODIFIED PROCEDURE
)
) ORDER NO. 34931

On January 29, 2021, Custer Telephone Broadband Services LLC (“CTBS”) applied to expand its designated service area as an Eligible Telecommunications Carrier (“ETC”).

The Commission now sets deadlines for interested persons to comment on the Application, and for CTBS to reply.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that CTBS is a wholly owned subsidiary of Custer Telephone Cooperative, Inc., which was a winning bidder in the Rural Digital Opportunity Fund (“RDOF”) Auction 904 to provide broadband service in specific Idaho census blocks. Custer Telephone Cooperative, Inc. assigned its winning bids to CTBS on December 22, 2020. CTBS asserts it is required under the RDOF Auction’s rules to seek and receive designation as an ETC in all census blocks in which it was awarded RDOF support.

YOU ARE FURTHER NOTIFIED that in 2014, CTBS sought designation as an ETC for the limited purpose of participating in Lifeline and receiving universal service fund, low-income support in the Salmon, Idaho exchange area. *See* Case No. CTB-T-14-01, Order No. 32989. In Order No. 33002, the Commission designated CTBS a Lifeline-only ETC.

YOU ARE FURTHER NOTIFIED that CTBS seeks Commission approval “to expand its low-income/Lifeline-only ETC designation for purposes of receiving high cost RDOF support in those areas located within its [existing service area] and to expand its [existing service area] to include those areas...for which it has been awarded RDOF support via Auction 904.” Application at 2.

YOU ARE FURTHER NOTIFIED that CTBS asserts it meets the federal and state requirements for designation as an ETC and that designating CTBS as an ETC is in the public interest. CTBS asks that the Commission issue a final order on its Application before June 7, 2021.

YOU ARE FURTHER NOTIFIED that the Application is available for public inspection during regular business hours at the Commission's office. These documents are also available on the Commission's web site at www.puc.idaho.gov. Click on the "TELECOM" icon, select "Open Cases," and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 62 of the Idaho Code and specifically *Idaho Code* § 62-615.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that persons desiring to state a position on this Application may file a written comment explaining why the person supports or opposes the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have until April 1, 2021 to file written comments.** Comments must be filed through the Commission website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's home page at www.puc.idaho.gov. Click the "Case Comment Form" and complete the form using the case number as it appears on the front of this document. To file by e-mail, the customer must e-mail the comments to the e-mail addresses listed below. In addition to submitting the comments to the Commission Secretary, the customer must also e-mail the Company at the e-mail addresses listed below. If computer access is unavailable, then comments may be mailed to the Commission and Company at these addresses:

**For the Idaho Public Utilities
Commission:**

Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

E-mail: secretary@puc.idaho.gov

Street Address for Express Mail:

11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, Idaho 83714

**For Custer Telephone Broadband Services
LLC:**

Cynthia A. Melillo
Cynthia A. Melillo PLLC
8385 W. Emerald St.
Boise, ID 83704
E-mail: cam@camlawidaho.com

JD Bennetts
Custer Telephone Broadband Services, LLC
PO Box 324
1101 E. Main Ave.
Challis, ID 83226
E-mail: jd.bennetts@custertel.com

YOU ARE FURTHER NOTIFIED that CTBS must file any reply comments **by April 15, 2021.**

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

ORDER

IT IS HEREBY ORDERED that CTBS's Application be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so by April 1, 2021. CTBS must file any reply comments by April 15, 2021.

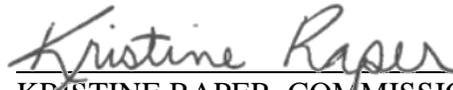
IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34781, issued September 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

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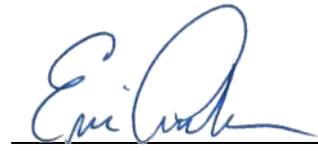
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 19th
day of February 2021.



PAUL KJELLANDER, PRESIDENT

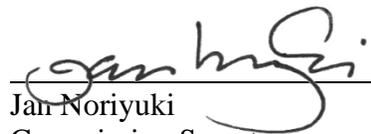


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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